DANIEL G. BOGDEN 1 United States Attorney District of Nevada 2 SUSAN CUSHMAN Assistant United States Attorney 3 333 Las Vegas Boulevard South **Suite 5000** 4 Las Vegas, Nevada 89101 702-388-6336 5 UNITED STATES DISTRICT COURT 6 DISTRICT OF NEVADA -oOo-7 UNITED STATES OF AMERICA, 8 Case No.: 2:12 mj 00584 CWH Plaintiff, 9 Stipulation to Continue Preliminary Hearing Date (First Request) VS. 10 MARIO TORRES-CONTRERAS, 11 Defendant. 12 13 14 IT IS HEREBY STIPULATED AND AGREED, by and between Daniel Bogden, 15 United States Attorney, Susan Cushman, Assistant United States Attorney, counsel for the 16 United States of America and John George, Jr., Esq., counsel for defendant MARIO TORRES-17 CONTRERAS: 18 THAT THE PRELIMINARY HEARING CURRENTLY SCHEDULED FOR April 19 20, 2015, at 4:00 p.m. before U.S. Magistrate Judge Hoffman be vacated and set to a time 20 convenient for the Court, but no earlier than 30 days from the current setting. 21 This stipulation is entered into for the following reasons: 22 1. The government has provided counsel for the defendant with limited Rule 16 23 Discovery and a written plea agreement. Counsel for the defendant requests an opportunity to 24

review the discovery and discuss the proposed plea agreement with his client prior to a preliminary hearing or an indictment.

- 2. Counsel for the defendant and counsel for the government agree to the continuance.
- 3. The defendant is detained and agrees to the continuance.
- 4. Denial of this request for continuance could result in a miscarriage of justice.
- 5. The additional time requested by this Stipulation is excludable in computing the time from the filing of the criminal complaint through which the government must assert an criminal Information or seek an Indictment by the Grand Jury pursuant to the Speedy Trial Act, Title 18, United States Code Section 3161(h)(7)(A), when considering the factors under Title 18, United States Code, Sections 3161(h)(7)(B) and 3161(h)(7)(B)(iv).
- 6. This is the first request for a continuance.

Dated this <u>13th</u> day of April, 2015.

Respectfully Submitted,

DANIEL G. BOGDEN United States Attorney

/s/ Susan Cushman

SUSAN CUSHMAN Assistant United States Attorney

/s/ John George, Jr.

JOHN GEORGE, JR. Counsel for defendant

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1 2 DANIEL G. BOGDEN United States Attorney 3 District of Nevada SUSAN CUSHMAN Assistant United States Attorney 333 Las Vegas Boulevard South 5 Suite 5000 Las Vegas, Nevada 89101 702-388-6336 6 7 UNITED STATES DISTRICT COURT DISTRICT OF NEVADA 8 -oOo-9 UNITED STATES OF AMERICA, Case No.: 2:12 mj 00584 CWH 10 Plaintiff, Stipulation to Continue Preliminary Hearing 11 Date (First Request) VS. 12 MARIO TORRES-CONTRERAS, 13 Defendant. 14 15 FINDINGS OF FACT 16 Based on the pending Stipulation of counsel, and good cause appearing therefore, the 17 Court finds that: 18 1. The period within which the government may assert an Information or seek an 19 Indictment through the Grand Jury against the defendant is hereby extended from the 20 date of the filing of the complaint up through and including May 20, 2015. 21 2. Both sides agree to the continuance. 22 3. The defendant is detained and agrees to the continuance. 23 24

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1	4. The additional time requested by this Stipulation is excludable in computing the time
2	within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United
3	States Code Section 3161(h)(7)(A), when considering the factors under Title 18, United States
4	Code, Sections 3161(h)(7)(B) and 3161(h)(7)(B)(iv).
5	5. This is the first request to continue the preliminary hearing.
6	For all of the above-stated reasons, the end of justice would best be served by a
7	continuance of the preliminary hearing.
8	<u>ORDER</u>
9	IT IS ORDERED that the preliminary hearing currently scheduled for April 20, 2015, at
10	4:00 p.m. be vacated and continued to Monday, May 25, 2015, at the hour of
11	4:00 p.m. 15th
12	DATED this day of April 2015.
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14	UNITED STATES MAGISTRATE JUDGE
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